IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LDG) NO.2878 OF 2005

Sudhir Hirani .. ..Petitioner

Versus

Municipal Corporation of Gr.Bombay & Ors..Respondents

Mr.R.A.Thorat for petitioner
Mrs. A.R.Joshi for respondents

CORAM : P.V.KAKADE, J.

DATE : 13TH DECEMBER, 2005

P.C.:

. Heard the learned counsel for both the parties. The learned counsel for the respondents waive service. Perused the record.

. Rule, rule made returnable forthwith by consent.

1. The petitioner will be permitted to file proposal for regulation within a period of 16 weeks from today towards regularisation of the mezzanine floor in Unit No.25 DCB, Laxmi Industrial Estate, Andheri (West), Mumbai 400 058, pursuant to the Order bearing

No.KW/351/903/BF, dated 18.11.2005 passed by the Respondent no.3.

2. The Respondent no.4 shall accept the proposal for regularisation submitted by the petitioner.

3. The Respondent No.4 shall consider the regularisation proposal submitted by the petitioner towards the regularisation of the mezzanine floor by giving opportunity to the petitioner to produce all relevant documents which are necessary for such regularisation.

4. In the event the proposal is not accepted by the respondent no.4, the respondents shall not take any action of demolition and/or removal of the mezzanine floor in respect of the aforesaid unit for a further period of six weeks from the date of communication of rejection of regularization proposal in order to enable the petitioner to take appropriate remedy in accordance with law.

5. That the respondents shall not take any action of demolition and/or removal of any part of the

mezzanine floor in respect of the aforesaid unit till the Respondent no.4 and/or any other concerned authority does not complete the procedure for regularisation as mentioned in Clauses 1 to 4 hereiabove.

6. Writ Petition is disposed of accordingly.

7. No order as to costs.